

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

MELVIN H. NIXON

VS.

CIVIL ACTION NO. 1:07CV303-SA-DAS

MICHAEL J. ASTRUE,  
Commissioner of Social Security

**ORDER**

Upon consideration of the file and records in this case, the court finds that the Report and Recommendation of the United States Magistrate Judge dated February 5, 2009 was on that date duly filed and the parties notified; that more than ten days have elapsed since notice of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The Court is of the opinion that the Report and Recommendation should be approved and adopted as the opinion of the court.

It is, therefore, **ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated February 5, 2009 be, and it is hereby, approved and adopted as the opinion of the court, and that the proposed findings of fact and conclusions of law therein set out be, and are hereby, adopted as the findings of fact and conclusions of law of the court.
2. That the final decision of the commissioner be, and it is hereby, affirmed.

SO ORDERED, this, the 5th day of March 2009.

/s/ Sharion Aycock  
**UNITED STATES DISTRICT JUDGE**